IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 6462 OF 2005

Shri Sanjay Kale ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Y.S. Jahagirdar, Sr. Advocate i/by Mr. Vilas B. Tapkir for Petitioner.

Mr. P.P. Kakade, A.G.P. for Respondent Nos. 1 and 2.

Mrs. Anita Agarwal for Respondent Nos. 4 to 12.

CORAM : F.I. REBELLO &
DR. D.Y. CHANDRACHUD,JJ.
DATED : 30TH SEPTEMBER, 2005

P.C.

. Rule. Heard forthwith.

. It is the contention of the Petitioner that the Charity Commissioner has called for the report in so far as membership of the trust is concerned. Before the Charity Commissioner could decide the issue of membership, the trust has issued notice for holding elections. By the present petition, the petitioners pray that the trust be restrained from holding elections.

. We have heard the learned counsel for the Petitioners. Considering the controversy about membership is being enquired into and enquiry

report is submitted, ends of justice will be met if the Charity Commissioner is granted time upto 30.11.2005 to decide the dispute about the membership. On such decision, the elections should be held. In the meantime, the committee already appointed to continue till the elections are held and the new committee is elected. It is made clear that the continuance of the committee will not stay in the way of their contesting the elections. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)